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REMARKS/ARGUMENTS

The outstanding Office Action rejects all pending claims 1-10 & 12-20 (Claims 11 & 12 having been subject to restriction and hereby withdrawn from consideration) on various grounds over several applied references (*Bleeker et al.* (U.S. Pat. Publ. Ser. No. 2005/0068510 hereinafter "*Bleeker*"), *Sandstrom* (U.S. Pat. Publ. Ser. No. 2006/0077506 hereinafter "*Sandstrom*"), and *Cassarly et al.* (USPN 5,0154,080 hereinafter "*Cassarly*"). Claims 3, 4, 10-12, 15, 16, & 20 are cancelled herein. Claims 1, 13, 17, and 18 are amended. The various ground of rejections are discussed below. Claims 1, 2, 5-9, 13, 14, and 17-19 are now pending in this application.

Rejections Under 35 U.S.C. § 102

Claims 1, 3-6, 10, 13, 15-17 and 20 are stand rejected under 35 U.S.C. § 102 as being anticipated by the *Bleeker* reference.

Dependent Claims 3, 4, 10, 15, 16, and 20 are cancelled making discussion of these claims moot.

The applicants understand the rejection and the logic of the applied *Bleeker* reference. The applicants believe that the claimed invention and the cited art are fundamentally different and hope that the following discussion clearly illustrates this point.

To begin, *Bleeker* suffers from a number of fundamental deficiencies. First, the applicants point out that the filing data for *Bleeker* is September 22, 2004 which is substantially later than the April 14, 2004 filing data of the presently claimed invention. Although it is true that the *Bleeker* reference claims priority to an earlier application (10/677,242 filed Oct. 3, 2004), this application differs substantially from the *Bleeker* application as filed. The earlier 10/677,242 application has considerably different disclosure than that the cited *Bleeker* application. This is directly evidenced by the fact that three inventors have been added, and what appears to be 66 added paragraphs of specification, and three new figures. Accordingly, the applicants point out that *Bleeker* is inoperative as a 35 U.S.C. § 102 reference.

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Independent Claim 1

Additionally, *Bleeker* does not teach all the limitations in the invention as claimed. For example, base Claim 1 now includes all the limitations recited in both Claims 1 and 4 (accordingly Claim 1 is operating as unamended Claim 4).

The Action asserts that paragraphs [0016], [0017], [0118], [0119] teach that "tilting and piston displacement modes are simultaneously performed on an individual mirror in the array". The applicants respectfully disagree. None of the cited paragraphs discuss in anyway the simultaneous use of tilting and displacement at the same time to effectuate superior results. Since this is what Claim 1 is directed to, and since the cited art does not teach this limitation, the cited art fails to establish a *prima facie* case for anticipation as to Claim 1. Therefore, the applicants respectfully request that this ground of rejection be withdrawn as to Claim 1.

For at least the same reasons, the applicants submit that dependent Claims 5-6 and 19 should also be allowable. But each of these claims have their own separate grounds of allowability. For example, Claim 5 recites that the "piston mode is selected to mimic the functioning of resolution enhancement features". The cited art is offered as teaching this limitation at [0118]. Again, applicants respectfully disagree, [0118] is about aberration correction an focus deviation. Resolution enhancement features as disclosed herein refer specifically to optical proximity correction (OPC) features which are well understood and important methods of obtaining sub-resolution accuracy in patterns. This is not taught in the cited art. Claim 6 is another claim whose limitations are not believed to be taught by the cited art. Claim 6 recites " individual mirrors having dual tilting and piston displacement modes" that " write a first feature of the pattern" and a "second feature of the pattern". This does not appear to be taught by the cited art. The other dependent Claims also supply individual basis for allowance, but need not be expressed here due to the belived sufficiency of base Claim 1. Thus, for at least these reasons *Bleeker* does not establish a *prima facie* case for anticipation as to dependent Claims 5-6 and 19. Therefore, the applicants respectfully request that this ground of rejection be withdrawn as to Claims 5-6 and 19 as well.

Independent Claim 13

In base Claim 13 certain amendments are made which are believed to distinguish the invention over the cited art. Claim 13 now includes mirrors that include both a "tilt" component and a "piston" component arranged so that each of the tilted mirrors are included as part of a piston displacement element" arranged to create "degrees of interference of light waves on the image, the amount of interference corresponding to a combination of the degree of tilting and the degree of displacement" of each mirror. There is no such combined mode of operation in the cited art, none.

Accordingly it is believed that these amendments overcome anything stated in the cited paragraphs [0016], [0017], [0118], [0119] of *Bleeker*. Therefore, the applicants respectfully request that this ground of rejection be withdrawn as to Claim 13.

Additionally, for at least the same reasons, the applicants submit that dependent Claim 17 should also be allowable. The applicants need not the further limitations of Claim 17 at this time due to the underlying allowability of Claim 13. Thus, for at least these reasons *Bleeker* does not establish a *prima facie* case for anticipation as to dependent Claims 13 and 17. Therefore, the applicants respectfully request that this ground of rejection be withdrawn as to Claim 17 as well.

In summary, none of the cited art teaches all of the limitations recited in the claims rejected under 35 U.S.C. § 102. Accordingly, it is respectfully submitted that these grounds of rejection be withdrawn as to rejected Claims 1, 5-6, 13, and 17.

Rejections Under 35 U.S.C. § 103

Claims 2, 8, and 14 stand rejected under 35 U. S. C. §§ 103(a) as being unpatentable over *Bleeker* in view of *Sandstrom*.

Applicants respectfully traverse this rejection as well. Applicants have already pointed out the deficiencies of the *Bleekers* reference as to base claims 1 and 13. Nothing additional provided by the added cited portions of *Sandstrom* teaches or suggests the claimed steps of "tilting and piston displacement modes are simultaneously performed on an individual mirror in the array" (as in Claim 1) or mirrors that include both a "tilt" component and a "piston" component arranged so that each of the tilted mirrors are included as part of a piston displacement element" arranged to create "degrees of interference of light waves on the image,

the amount of interference corresponding to a combination of the degree of tilting and the degree of displacement" of each mirror (as in Claim 13). Absent this teaching the cited art fails to establish a prima facie case of obviousness as to the rejected Claims 2, 8, and 14. Therefore, the applicants respectfully submit that the cited references are insufficient to establish that the claimed invention is obvious. Accordingly, applicants respectfully request that the pending ground of rejection for Claims 2, 8, and 14 be withdrawn.

Claims 7, 9, 18, and 19 stand rejected under 35 U. S. C. §§ 103(a) as being unpatentable over *Bleeker* in view of *Cassarly*.

Applicants respectfully traverse this rejection as well. Applicants have already pointed out the deficiencies of the *Bleeker* reference as to base claims 1 and 13. Nothing additional provided by the added cited portions of *Cassarly* teaches or suggests the claimed steps of "tilting and piston displacement modes are simultaneously performed on an individual mirror in the array" (as in Claim 1) or mirrors that include both a "tilt" component and a "piston" component arranged so that each of the tilted mirrors are included as part of a piston displacement element" arranged to create "degrees of interference of light waves on the image, the amount of interference corresponding to a combination of the degree of tilting and the degree of displacement" of each mirror (as in Claim 13). Absent these teachings the cited art fails to establish a prima facie case of obviousness as to the rejected Claims 7, 9, 18, and 19.

Although further arguments can be made in support of the specific limitations of the dependent claims, such are not necessary in view of the in ability of the base reference (*Bleeker*) to support the rejection of the base claims. Therefore, the applicants respectfully submit that the cited art is insufficient to establish that the claimed invention is obvious. Accordingly, applicants respectfully request that the pending ground of rejection for Claims 7, 9, 18, and 19 be withdrawn.

Conclusion:

In view of the foregoing amendments and remarks, it is respectfully submitted that the claimed invention as presently presented is patentable over the art of record and that this case is now in condition for allowance.

Accordingly, the applicants request withdrawal of all pending rejections and request reconsideration of the pending application and prompt passage to issuance. As an aside, the applicants clarify that any lack of response to any of the issues raised by the Examiner is not an admission by the applicant as to the accuracy of the Examiner's assertions with respect to such issues. Accordingly, applicant's specifically reserve the right to respond to such issues at a later time during the prosecution of the present application, should such a need arise.

As always, the Examiner is cordially invited to telephone the applicants' representative to discuss any matters pertaining to this case. Should the Examiner wish to contact the undersigned for any reason, the telephone number set out below can be used.

Additionally, if any fees are due in connection with the filing of this Amendment, the Commissioner is authorized to deduct such fees from the undersigned's Deposit Account No. 12-2252 (Order No. 03-1810).

Respectfully submitted,

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